

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****Title of Invention:** OFF-RESONANCE MID-IR LASER DESORPTION IONIZATION

As the below named inventors, I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/804,723, filed on March 19, 2004,
- ☐ as amended on \_\_\_\_\_ (if applicable);

I/We believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/We have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/We acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTORS**Inventor 1 Scot R. Weinberger Date: April 12, 2004Signature: [Signature] Citizen of: United States of America

Inventor 2 \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor 3 \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor 4 \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.



<b>POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	<b>Application Number</b>	10/804,723
	<b>Filing Date</b>	March 19, 2004
	<b>First Named Inventor</b>	Scot R. Weinberger
	<b>Title</b>	OFF-RESONANCE MID-IR LASER DESORPTION IONIZATION
	<b>Art Unit</b>	None Yet
	<b>Examiner Name</b>	None Yet
	<b>Attorney Docket Number</b>	CiphBio-012 us

I hereby appoint:

☒ Practitioners associated with the Customer Number  
**AND****1473**☒ Practitioner(s) named below:

Name	Registration Number
John R. Storella	32,944

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number.**OR**☐ Practitioners at Customer Number**OR**

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.☒ Assignee of an undivided part interest. See 37 CFR 3.71.

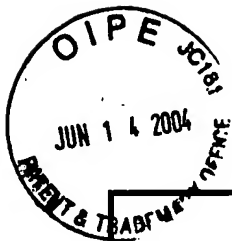
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name	John R. Storella, Vice President for Intellectual Property				
Signature					
Date	Apr 12, 2004			Telephone	888-864-3770

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 form is submitted.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Scot R. WeinbergerApplication No./Patent No.: 10/804,723Filed/Issue Date: March 19, 2004Entitled: OFF-RESONANCE MID-IR LASER DESORPTION IONIZATIONCiphergen Biosystems, Inc.a Delaware corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To : \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

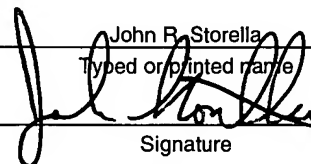
**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Apr 12, 2004  
Date

888-864-3770

Telephone number

John R. Storella  
Typed or printed name  
  
Signature  
Vice President for Intellectual Property  
Title

**ASSIGNMENT OF PATENT APPLICATION**

SOLE

WHEREAS, **SCOT R. WEINBERGER** of 657 George Street, Montara, California 94307, hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:           **OFF-RESONANCE MID-IR LASER DESORPTION  
IONIZATION**

Date of Execution of Declaration: Concurrent with the signing of this Assignment

Filing Date:                March 19, 2004

Application No.:           10/804,723; and

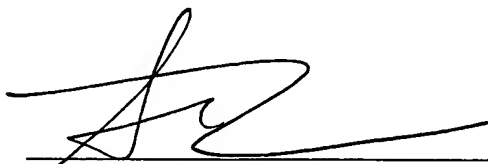
WHEREAS, CIPHERGEN BIOSYSTEMS, INC., a corporation of the state of Delaware, located at 6611 Dumbarton Circle, Fremont, CA, 94555, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on any patent application claiming priority from the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that he will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has signed his name on the date indicated.

Dated: 4-12-04

  
SCOT R. WEINBERGER

WITNESSED BY:

Signature: Jesus N. Chavez

Name: Jesus N. Chavez

Address: 6611 Dumbarton  
Circle, Fremont, CA 94555

Date: 4-12-04

Signature: Sarah Lyn Torres

Name: Sarah Lyn Torres

Address: 6611 Dumbarton Circle  
Fremont, CA 94555

Date: April 12, 2004